

AN ACT

ENTITLED, An Act to clarify the procedure to be followed for expedited abused or neglected child proceedings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 26-8A-21.2 be amended to read as follows:

26-8A-21.2. If the court has determined that reasonable efforts to return an adjudicated abused or neglected child to the home of the parent, guardian, or custodian are not appropriate, a permanency hearing shall be held within thirty days after the determination. At the permanency hearing, the court shall determine whether and when:

- (1) The child should be placed for adoption. If the court determines that the child should be placed for adoption, the state shall notify the parties of its intent to seek the termination of parental rights if such notice has not already been provided;
- (2) The child should be referred for legal guardianship;
- (3) The child should be placed permanently with a fit and willing relative; or
- (4) A compelling reason is documented with the court that none of the permanent plans listed in this section would be in the best interest of the child, and the child should be placed in another planned permanent living arrangement.

The court may immediately proceed with a final dispositional hearing if proper notice of the hearing has been given.

An Act to clarify the procedure to be followed for expedited abused or neglected child proceedings.

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I certify that the attached Act
originated in the

SENATE as Bill No. 54

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 54

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
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STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State